

REMARKS

The Office Action dated March 6, 2007, has been fully considered. The present Response is intended to be a complete response thereto and to place the case in condition for allowance.

Applicant gratefully acknowledges the courtesy of an interview on June 26, 2007, in which Examiner Barts and Minh-Quan K. Pham discussed the outstanding rejection. In particular, the Examiner agreed to consider written description for the claims on page 5 of the specification and in the priority documents.

Claims 1-14 are pending. Claims 8-14 have been withdrawn.

THE CLAIMS CONTAIN PROPER WRITTEN DESCRIPTION

Claims 1-7 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Applicants respectfully traverse the rejection.

The Examiner alleges that “the phrase ‘extracting and washing to organic phase reaction product of step B at a pH of 7.0-8.0’ does not have support in the specification..” Applicants respectfully submit that the specification provides support for the washing mixture at a pH of 7.0-8.0, on page 5, lines 15-17, which states:

The organic phase is washed thrice by water. The pH of washing must be in the range of 7 to 8.

(emphasis added). Additionally, written description is also found in the priority documents which are incorporated by reference and attached herewith for the Examiner’s convenience. The priority documents include 1) Provisional Patent Application No.1185/MUM/2003 filed on November 14, 2003; and 2) subsequent Complete Application No.1185/MUM/2003 filed on

January 7, 2004. Specifically, Examples 1-4 on pages 9-10 of the Complete Application No.

1185/MUM/2003, filed January 7, 2004, discloses:

At the end of reaction, the aqueous phase was separated and the organic phase was washed with water to bring pH in the range of 7-8.

(emphasis added). This clearly supports Applicants' assertion that the organic mass being washed is at the pH of 7.0-8.0, not just the pH of the initial water. The pH recited in the claim refers to the pH of the organic mass (the organic mass refers to the organic phase mixed with the washing water) or the pH of the resulting water coming out after washing, which is critical for attaining purity, as disclosed in the priority documents and on page 5 of the instant specification. Therefore, because written description is present in the specification and the claims, Applicants respectfully request withdrawal of the rejection.

CONCLUSION

Applicant has responded to the Office Action mailed March 6, 2007. All pending claims are now believed to be allowable and favorable action is respectfully requested.

In the event that there are any questions relating to this Amendment or to the application in general, it would be appreciated if the Examiner would telephone the undersigned attorney concerning such questions so that the prosecution of this application may be expedited.

Please charge any shortage or credit any overpayment of fees to BLANK ROME LLP, Deposit Account No. 23-2185 (124907-00111). In the event that a petition for an extension of time is required to be submitted herewith and in the event that a separate petition does not accompany this response, Applicant hereby petitions under 37 C.F.R. 1.136(a) for an extension of time.

U.S. Application Serial No.: 10/807,221
Attorney Docket No.: 124907-00111
Reply to Office Action of March 6, 2007

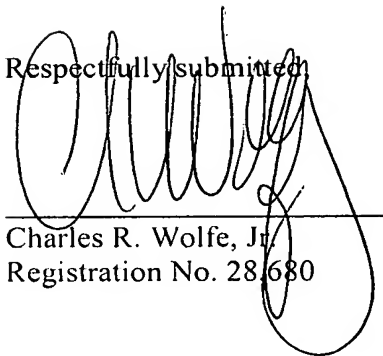
Any fees due are authorized above.

Date: _____

July 5, 2007

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Charles R. Wolfe, Jr.", written over a horizontal line.

Charles R. Wolfe, Jr.
Registration No. 28,680